



Patent Application
Attorney Docket No. PC10015AJT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: :
MURRAY C. MAYTOM, ET AL. :
APPLICATION NO.: 09/248,438 :
FILING DATE: FEBRUARY 11, 1999 :
TITLE: METHOD OF TREATING IMPOTENCE :
DUE TO SPINAL CORD INJURY :

Examiner: M. Moezle

Group Art Unit: 1614

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

SUBMISSION UNDER RULE 114

A Notice of Appeal was filed in the above application on July 9, 2001. Applicant's opening brief was accordingly due by September 9, 2001. Applicants have herewith enclosed a petition for an extension of time of five months, plus the appropriate fee, thereby extending the time for filing a brief to February 9, 2002.

In lieu of filing a brief, Applicants are herewith submitting a Request For Continuing Examination (RCE). This submission accordingly addresses the issues raised in the Office Action of January 9, 2001.

In response to the Office Action of January 9, 2001, the Examiner is requested to reconsider the rejections made therein in light of the comments which follow, and especially in light of the Rule 131 Declaration included herewith.

REMARKS

Claims 1-2 and 5-10 stand provisionally rejected for obviousness type double patenting over co-pending application 08/549,792. The Examiner stated that one of ordinary skill would have found it obvious to employ the instant compounds to treat sexual dysfunction in a host with an injured spinal cord since any animal host suffering from sexual dysfunction would be reasonably expected to exhibit a similar

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